

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

Mel and Lerah Parker
472 Riverview Dr.
Libby, MT 59923

April 27, 2006

Dear Mr. and Mrs. Parker:

This letter is in regards to the vegetation issues on your property located at the former Screening Plant site. You have raised the issue that the vegetation that has established there does not meet your expectations for growth, in particular the amount of bluegrass present on this property. The EPA and its contractors have made many site visits, consulted with you, outside experts and others to determine the status of the grass. You have expressed your concern and have brought to my attention what you would like to have done at your property.

Upon review and consultation with my counterparts we believe the government has met the intent of the Reclamation/Revegetation Specifications dated February 2003. Specifically sections 2.03-9 A. Seed Species and Mixtures and 3.15-B. Seeding Success/Failure.

Section 3.15-B. states:

The success of the seeding(s) will be assessed beginning at the germination stage when grass species are approximately 1-inch in height and shall continue monthly during the establishment period. A satisfactory stand of vegetation shall have a minimum of 10 grass seedlings per square foot.

Site inspections and photographs clearly show that the vegetation establishment as called for in Section 3.15-B. has been achieved at the site.

You have expressed that we have not met this due to the lack of bluegrass establishment. In a good faith effort to reach a compromise with you EPA has offered to purchase 1100 lbs. of 100% Alene Kentucky Bluegrass seed per the recommendation by Westland Seed Company and the EPA has also offered to pay the contractor of your choice, not to exceed the government estimate, for preparation and planting of the aforementioned seed. You will be responsible for contractor oversight, watering, upkeep and/or maintenance of the newly planted seed. The EPA feels this is more than a fair and reasonable compromise to your concerns.

We have discussed this issue and you have expressed to me that you do not want to have any



involvement in contacting, hiring or the responsibility for dealing with the contractor of your choice. The EPA is still willing to purchase the seed and pay the contractor of your choice to plant this seed on your property but recommend that this be done in a timely manner to take advantage of the prime establishment/growing season.

Please respond in writing with your decision on this offer within seven (7) days of receipt of this letter. If you have any questions regarding this letter or would like to discuss this in further detail, please contact me at the EPA Information Center (406) 293-6194.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Cirian", with a stylized flourish at the end.

Michael Cirian, PE
Remedial Project Manager